

# Selected Bills Impacting Law Enforcement and Criminal Justice

## 2017 General Session

### HOUSE BILLS

#### PASSED WITH THE GOVERNOR'S SIGNATURE

<i>Bill and Bill Sponsor</i>	<i>General Description</i>	<i>Highlighted Provisions</i>
<b><i>H.B. 17 Offenses Against the Person Amendments</i></b> (Rep. V. L. Snow)	Modifies the Utah Criminal Code regarding aggravated assault and child abuse	<ul style="list-style-type: none"> <li>▶ Amends the crime of aggravated assault to include the act of impeding the breathing or blood circulation of another person by the use of unlawful force that is likely to result in a loss of consciousness;</li> <li>▶ provides that the commission of the aggravated assault offense of impeding breathing or blood circulation is the offense of strangulation, and is a second degree felony if action results in a loss of consciousness; and</li> <li>▶ modifies the crime of child abuse to include the act of impeding the breathing or circulation of blood by applying pressure to the neck or throat, or by obstructing the nose, mouth, or airway, in a manner that is likely to cause unconsciousness.</li> </ul>
<b><i>H.B. 53 Missing and Exploited Children's Day</i></b> (Rep. S. Handy)	Modifies provisions relating to commemorative periods	<ul style="list-style-type: none"> <li>▶ Provides that Rachael Runyan/Missing and Exploited Children's Day shall be commemorated annually on August 26.</li> </ul>
<b><i>H.B. 68 Crime Victims Reparation Board Sunset Extension</i></b> (Rep. L. Christensen)	Extends the sunset date on the Crime Victim Reparations and Assistance Board	<ul style="list-style-type: none"> <li>▶ Extends the sunset date on the Crime Victim Reparations and Assistance Board to July 1, 2027.</li> </ul>
<b><i>1<sup>st</sup> Sub. H.B. 99 Bigamy Offense Amendments</i></b> (Rep. M. Noel)	Modifies the Utah Criminal Code regarding the offense of bigamy	<ul style="list-style-type: none"> <li>▶ Revises the definitions of bigamy and child bigamy.</li> </ul>
<b><i>1<sup>st</sup> Sub. H.B. 110 Controlled Substance Amendments</i></b> (Rep. P. Ray)	Modifies the Utah Controlled Substances Act regarding Schedule I	<ul style="list-style-type: none"> <li>▶ Adds the following to the list of controlled substances under Schedule I: <ul style="list-style-type: none"> <li>· 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide, also known as U-47700 or "pink";</li> <li>· Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);</li> <li>· Butyryl fentanyl: N-(1-(2-phenylethyl)-4-piperidiny)-N-phenylbutyramide; and</li> <li>· Furanyl fentanyl: N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide; and</li> </ul> </li> <li>▶ adds the following to listed controlled substances: <ul style="list-style-type: none"> <li>· ADB-CHMINACA: N-[(2S)-1-amino-3,3-dimethyl-1-oxobutan-2-yl] -1-(cyclohexylmethyl)indazole-3-carboxamide;</li> <li>· ADB-FUBINACA: (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl) -1-(4-fluorobenzyl)-1H-indazole-3-carboxamide); and</li> <li>· FUB-AMB: methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)valinate.</li> </ul> </li> </ul>

<b>3<sup>rd</sup> Sub. H.B. 123 Juvenile Offenses Amendments</b> (Rep. M. Roberts)	Makes changes to juvenile sex offenses when both juveniles are under 18 years of age	<ul style="list-style-type: none"> <li>▶ Creates a new provision for unlawful adolescent sexual activity between persons under 18 years of age;</li> <li>▶ creates penalties; and</li> <li>▶ makes technical and conforming corrections.</li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 124 Assault on a Peace Officer Amendments</b> (Rep. A.C. Maloy)	Adds more peace officer classifications to the assault against a peace officer statute	<ul style="list-style-type: none"> <li>▶ Adds the following to the assault against a peace officer statute: <ul style="list-style-type: none"> <li>· correctional officers;</li> <li>· special function officers; and</li> <li>· federal officers.</li> </ul> </li> </ul>
<b>H.B. 138 Public Safety Amendments</b> (Rep. E. Redd)	Modifies the Utah Criminal Code regarding custodial sexual offenses	<ul style="list-style-type: none"> <li>▶ Adds special function officers as actors who are subject to prosecution for custodial sexual relations or custodial sexual misconduct.</li> </ul>
<b>1<sup>st</sup> Sub. H.B. 139 Criminal Intent Amendments</b> (Rep. K. Stratton)	Eliminates the defense of voluntary intoxication in a criminal action	<ul style="list-style-type: none"> <li>▶ Eliminates the defense of voluntary intoxication in a prosecution for various sexual offenses.</li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 149 Child Abuse Offender Registry</b> (Rep. D. Owens)	Creates the Child Abuse Offender Registry to be administered by the Department of Corrections	<ul style="list-style-type: none"> <li>▶ Creates the Child Abuse Offender Registry;</li> <li>▶ requires persons convicted of felony child abuse and human trafficking to register;</li> <li>▶ specifies requirements for registration;</li> <li>▶ sets penalties for failure to register; and</li> <li>▶ places the registry within the Department of Corrections.</li> </ul>
<b>1<sup>st</sup> Sub. H.B. 155 Driving Under the Influence and Public Safety Revisions</b> (Rep. N. Thurston)	Amends provisions related to driving under the influence	<ul style="list-style-type: none"> <li>▶ Reduces the blood alcohol content limit for driving under the influence;</li> <li>▶ reduces the blood alcohol content limit in relation to certain criminal offenses;</li> <li>▶ defines "novice learner driver";</li> <li>▶ defines "novice licensed driver";</li> <li>▶ modifies the definition of "alcohol restricted driver" to include a novice learner driver and a novice licensed driver; and</li> <li>▶ makes technical changes.</li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 162 Driving Under the Influence Classification and Sentencing Revisions</b> (Rep. S. Eliason)	Modifies provisions related to classification of crimes and sentencing of individuals convicted of driving under the influence	<ul style="list-style-type: none"> <li>▶ Modifies sentencing requirements for an individual convicted of driving under the influence; and</li> <li>▶ makes technical changes.</li> </ul>
<b>H.B. 174 Firearm Records Protection Amendments</b> (Rep. V. Potter)	Modifies provisions related to firearm transfer certifications and notifications	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ addresses the retention of certain federally required firearm transfer certifications and notifications;</li> <li>▶ classifies as a private record: <ul style="list-style-type: none"> <li>· any firearm transfer certification or notification; and</li> <li>· any record or portion of a record that contains information from a firearm transfer certification or notification; and</li> </ul> </li> <li>▶ makes technical changes.</li> </ul>

<b>H.B. 184 Contraband Device Destruction</b> <i>(Rep. J. Fawson)</i>	Defines a computer and provides for a computer to be considered contraband under certain circumstances	<ul style="list-style-type: none"> <li>▶ Defines a computer containing child pornography or being used for fraud or identification theft as being contraband; and</li> <li>▶ provides for the extraction of personal information for the owner before destruction of the computer.</li> </ul>
<b>H.B. 198 Concealed Carry Amendments</b> <i>(Rep. K. Lisonbee)</i>	Establishes a provisional permit to carry a concealed firearm for eligible individuals under 21 years of age	<ul style="list-style-type: none"> <li>▶ Establishes a provisional permit to carry a concealed firearm;</li> <li>▶ stipulates that individuals must be at least 18 years of age, but no more than 20 years of age, to obtain the permit;</li> <li>▶ stipulates that the holder of a provisional permit issued by the state must meet eligibility requirements, including minimum age requirements, to carry a concealed firearm in another state; and</li> <li>▶ prohibits a provisional permit holder from carrying a concealed firearm on or about an elementary or secondary school premises.</li> </ul>
<b>H.B. 200 Sexual Assault Kit Processing Amendments</b> <i>(Rep. A. Romero)</i>	Modifies provisions of the criminal code regarding the testing of sexual assault kits	<ul style="list-style-type: none"> <li>▶ Requires that all sexual assault kits, except for those classified as restricted kits, be tested to obtain DNA profiles;</li> <li>▶ provides that testing of a sexual assault kit be completed within a specified amount of time;</li> <li>▶ provides the process by which sexual assault kits shall be stored and transmitted for testing;</li> <li>▶ provides that a sexual assault kit shall be classified as a restricted kit if the victim chooses not to interview with law enforcement about the sexual assault or sexual abuse;</li> <li>▶ provides the guidelines and process for the retention and disposal of sexual assault kits;</li> <li>▶ requires medical personnel who conduct sexual assault examinations to inform each victim of specified rights, available treatments, and services;</li> <li>▶ authorizes the Department of Public Safety to develop and implement a statewide sexual assault kit tracking system;</li> <li>▶ requires the Department of Public Safety and the Utah Prosecution Council to develop and offer training to law enforcement officers on responding to cases of sexual assault or sexual abuse;</li> <li>▶ requires the Peace Officers Standards and Training division to provide training to persons seeking certification as a peace officer on sexual assault and sexual abuse;</li> <li>▶ provides rulemaking authority for the Department of Public Safety to implement the tracking system, establish the timelines for processing sexual assault kits, and the submission of information for each sexual assault kit; and</li> <li>▶ requires the Department of Public Safety to report to the Law Enforcement and Criminal Justice Interim Committee each year regarding the processing of sexual assault kits.</li> </ul>

<b>1<sup>st</sup> Sub. H.B. 206 Domestic Violence -- Weapons Restrictions</b> (Rep. Brian S. King)	Amends provisions relating to certain weapons restrictions relating to domestic violence	<ul style="list-style-type: none"> <li>▶ Expands the scope of a Category II restricted person to include: <ul style="list-style-type: none"> <li>· a person who is subject to a protective order or child protective order; and</li> <li>· a person who has been convicted of assault or aggravated assault against a cohabitant.</li> </ul> </li> </ul>
<b>1<sup>st</sup> Sub. H.B. 208 Jail Release Orders Amendments</b> (Rep. K. Ivory)	Modifies provisions related to jail release agreements and jail release court orders	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ modifies the conditions under which an arresting law enforcement agency may release an individual arrested for certain offenses against a child or vulnerable adult or sexual assault; and</li> <li>▶ makes technical and conforming changes.</li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 222 Criminal Offenses Modifications</b> (Rep. S. Handy)	Modifies provisions related to criminal offenses including registration on the Sex and Kidnap Offender Registry	<ul style="list-style-type: none"> <li>▶ Authorizes a court to impose a lesser term for certain offenses;</li> <li>▶ prohibits lifetime registration for persons who are under 21 years of age under certain circumstances; and</li> <li>▶ makes technical changes.</li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 235 Automated Traffic Enforcement Safety Devices</b> (Rep. M. McKell)	Enacts provisions authorizing the use of an automated traffic enforcement safety device on a school bus	<ul style="list-style-type: none"> <li>▶ Authorizes the use of an automated traffic enforcement safety device on a school bus to capture a photograph or video image of a possible violation of certain traffic laws;</li> <li>▶ authorizes the use of a photograph or video image obtained by an automated traffic enforcement safety device as evidence of certain traffic violations;</li> <li>▶ provides for a portion of fines collected for certain traffic violations related to school buses to be allocated to offset costs of an automated traffic enforcement safety device if the device was used to provide evidence of a violation;</li> <li>▶ provides rulemaking authority; and</li> <li>▶ makes technical changes.</li> </ul>
<b>3<sup>rd</sup> Sub. H.B. 239 Juvenile Justice Amendments</b> (Rep. V. L. Snow)	Modifies provisions related to juvenile justice	<ul style="list-style-type: none"> <li>▶ Addresses duties of prosecutors;</li> <li>▶ modifies adjudications of minors under the Alcoholic Beverage Control Act;</li> <li>▶ amends provisions related to sanctions and driver licenses;</li> <li>▶ addresses education of certain persons under 21 years of age;</li> <li>▶ amends provisions related to powers and duties of local school boards, charter school governing boards, school districts, or public school administrators;</li> <li>▶ addresses reporting of certain conduct;</li> <li>▶ addresses public school discipline policies;</li> <li>▶ modifies provisions related to rules addressing prohibited conduct;</li> <li>▶ enacts an approach to disciplinary actions related to students;</li> <li>▶ amends provisions related to disruptive student behavior;</li> <li>▶ addresses contracts between LEAs and law enforcement for school resource officer services;</li> <li>▶ modifies provisions related to controlled substances and prohibited acts;</li> <li>▶ modifies sentencing requirements for minors and drug paraphernalia and controlled substances;</li> </ul>

**3<sup>rd</sup> Sub. H.B. 239 Juvenile  
Justice Amendments**  
(Rep. V. L. Snow)

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- ▶ repeals language regarding programs and procedures for minors committed to the custody of the Division of Child and Family Services;
- ▶ amends provisions related to in-home services;
- ▶ amends definition provisions;
- ▶ addresses expenditure of money by the Department of Human Services;
- ▶ modifies provisions related to the Division of Juvenile Justice Services;
- ▶ modifies provisions related to restitution by a youth offender;
- ▶ addresses location of detention facilities and services;
- ▶ addresses commitment;
- ▶ modifies provisions related to the Youth Parole Authority;
- ▶ addresses discharge of youth offender;
- ▶ addresses youth services for prevention and early intervention;
- ▶ addresses community-based programs;
- ▶ modifies provisions related to the Commission on Criminal and Juvenile Justice;
- ▶ amends provisions related to minors and intoxication;
- ▶ amends provisions related to the buying and possession of a cigar, cigarette, electronic cigarette, or tobacco;
- ▶ addresses the jurisdiction of the juvenile court;
- ▶ enacts language regarding warrants;
- ▶ addresses when a minor may be taken into custody;
- ▶ addresses summons;
- ▶ repeals language regarding bench warrants;
- ▶ modifies provisions related to minors being taken into custody or detention or alternatives;
- ▶ addresses when the attorney general represents the Division of Child and Family Services;
- ▶ modifies provisions related to the adjudication in juvenile courts;
- ▶ addresses a judgment, decree, or order and the rights and responsibilities of agency or individual granted custody, probation, or protective supervision;
- ▶ addresses fines, fees, and restitution;
- ▶ enacts provisions related to case planning and appropriate responses;
- ▶ enacts provisions related to detention risk assessment tool;
- ▶ amends provisions related to prosecutors and review of case;
- ▶ modifies the citation procedure;
- ▶ addresses a minor held in detention;
- ▶ modifies suspension of driver license;
- ▶ modifies jurisdiction of district court;
- ▶ modifies enforcement of contempt or a fine, fee, or restitution;
- ▶ addresses youth court;
- ▶ addresses jurisdiction of courts; and
- ▶ makes technical and conforming amendments.

<p><b>1<sup>st</sup> Sub. H.B. 248 Domestic Violence Related Amendments</b> (Rep. L. Christensen)</p>	<p>Modifies provisions related to domestic violence</p>	<ul style="list-style-type: none"> <li>▶ Amends definition provisions;</li> <li>▶ addresses the designation of a person that communicates between a defendant and victim;</li> <li>▶ addresses enforcement of restitution requirements;</li> <li>▶ provides the process for the issuance of continuous protective orders;</li> <li>▶ addresses form for protective orders;</li> <li>▶ modifies conditions for dismissals of protective orders; and</li> <li>▶ makes technical changes.</li> </ul>
<p><b>2<sup>nd</sup> Sub. H.B. 250 Driving Under the Influence Program Amendments</b> (Rep. J. Fawson)</p>	<p>Modifies provisions relating to driving under the influence programs</p>	<ul style="list-style-type: none"> <li>▶ Provides definitions;</li> <li>▶ authorizes a court to order a person convicted of certain driving under the influence violations to participate in a 24-7 sobriety program;</li> <li>▶ authorizes a court to order a person convicted of a violation of driving with any measurable controlled substance in the body to participate in a 24-7 sobriety program;</li> <li>▶ requires the Driver License Division to shorten certain driver license suspension periods if the division receives notice from a court that a person is participating in a 24-7 sobriety program;</li> <li>▶ requires the Department of Public Safety to establish and administer a 24-7 sobriety program as a pilot program;</li> <li>▶ specifies procedures and requirements for a 24-7 sobriety program;</li> <li>▶ grants the Department of Public Safety rulemaking authority to make rules to administer the 24-7 sobriety program; and</li> <li>▶ makes technical and conforming changes.</li> </ul> <p>Appropriates in fiscal year 2017:</p> <ul style="list-style-type: none"> <li>▶ to the Attorney General -- Administration, as a one-time appropriation: <ul style="list-style-type: none"> <li>· from the General Fund, (\$100,000); and</li> </ul> </li> <li>▶ to the Department of Public Safety -- Department Commissioner's Office, as a one-time appropriation: <ul style="list-style-type: none"> <li>· from the General Fund, \$100,000.</li> </ul> </li> </ul>
<p><b>2<sup>nd</sup> Sub. H.B. 252 Disposal of Firearms</b> (Rep. B. Daw)</p>	<p>Modifies and enacts provisions related to the disposal of firearms</p>	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ requires that the Department of Public Safety contract with a federally licensed firearms dealer to act as the state-approved dealer for the state;</li> <li>▶ provides that when a governmental agency disposes of a confiscated or unclaimed firearm, the governmental agency shall: <ul style="list-style-type: none"> <li>· sell the firearm to a federally licensed firearms dealer;</li> <li>· give the firearm to the state-approved dealer to sell in accordance with the provisions of this bill; or</li> <li>· transfer the firearm to the Bureau of Forensic Services for testing;</li> </ul> </li> <li>▶ addresses the allocation of proceeds from the sale of a confiscated or unclaimed firearm; and</li> <li>▶ makes technical and conforming changes.</li> </ul>



<b>1<sup>st</sup> Sub. H.B. 261 Local Emergency Response Amendments</b> (Rep. D. Sagers)	Amends the Emergency Medical Services Assistance Act	<ul style="list-style-type: none"> <li>Amends the membership of the Emergency Medical Services Committee.</li> </ul>
<b>3<sup>rd</sup> Sub. H.B. 265 Safety Inspection Amendments</b> (Rep. D. McCay)	Modifies provisions relating to motor vehicle safety equipment and inspection programs and increases motor vehicle registration fees	<ul style="list-style-type: none"> <li>Repeals the requirement that certain vehicles obtain a safety inspection certificate in order to be registered and to operate on a highway;</li> <li>repeals a provision making a seat belt violation a secondary offense;</li> <li>increases registration fees for certain vehicles;</li> <li>creates the Motor Vehicle Safety Impact Restricted Account and allows expenditure of the funds by the Utah Highway Patrol to: <ul style="list-style-type: none"> <li>hire new Highway Patrol troopers;</li> <li>pay overtime for Highway Patrol troopers; and</li> <li>acquire equipment to improve motor vehicle safety impacts and enforcement; and</li> </ul> </li> <li>makes technical changes.</li> </ul> <p>Appropriates for the fiscal year beginning July 1, 2017, and ending June 30, 2018:</p> <ul style="list-style-type: none"> <li>to the Department of Public Safety -- Programs and Operations as a one-time appropriation: <ul style="list-style-type: none"> <li>from the General Fund;</li> <li>from the Department of Public Safety Restricted Account;</li> </ul> </li> <li>to the Department of Public Safety -- Programs and Operations as an ongoing appropriation: <ul style="list-style-type: none"> <li>from the General Fund;</li> <li>from the Department of Public Safety Restricted Account.</li> </ul> </li> </ul>
<b>4<sup>th</sup> Sub. H.B. 274 Human Trafficking Modifications</b> (Rep. A. Romero)	Modifies provisions regarding human trafficking	<ul style="list-style-type: none"> <li>Authorizes the court to vacate a conviction for specified offenses if the individual convicted is found to have acted under force, fraud, or coercion;</li> <li>provides the process by which an individual may petition the court for vacatur of a conviction for specified crimes; and</li> <li>makes technical corrections.</li> </ul>
<b>4<sup>th</sup> Sub. H.B. 369 Sexual Offenses and Statutory Nonconsent Amendments</b> (Rep. J. Fawson)	Enacts provisions to enhance penalties related to sexual offenses without the consent of the victim when the actor is infected with HIV, AIDS, hepatitis B, or hepatitis C	<ul style="list-style-type: none"> <li>Enacts provisions to enhance the classification of a sexual offense if the actor was infected with Human Immunodeficiency Virus, Acquired Immunodeficiency Virus, hepatitis B, or hepatitis C.</li> </ul>
<b>H.B. 379 Classification of Theft Amendments</b> (Rep. Brian S. King)	Modifies the theft statute	<ul style="list-style-type: none"> <li>Removes the element of "armed with a dangerous weapon" from the second degree felony classification; and</li> <li>requires that the value of property taken in a third offense be valued at \$500 or more.</li> </ul>

<b>1<sup>st</sup> Sub. H.B. 380 Sex Offender Registry Amendments</b> (Rep. C. Hall)	Allows the Department of Corrections to receive notification of actions that affect a person's registry requirements	<ul style="list-style-type: none"> <li>▸ Specifies that a court may accept a guilty plea only if it is in conformity with the statute;</li> <li>▸ requires a court that modifies a conviction for a sex or kidnap offense to notify the department; and</li> <li>▸ allows the department to intervene in matters that affect a person's registration requirement.</li> </ul>
<b>H.B. 381 Law Enforcement Body Camera Footage Amendments</b> (Rep. P. Ray)	Modifies provisions regarding the release of recordings made by body cameras worn by law enforcement officers	<ul style="list-style-type: none"> <li>▸ Provides that any release of recordings made by a body camera that is worn by a law enforcement officer shall be subject to the Government Records Access and Management Act; and</li> <li>▸ allows a requestor to immediately appeal to a district court any denial of access to a recording if that denial is based solely on the grounds of a pending criminal action.</li> </ul>
<b>H.B. 386 Attorney General Amendments</b> (Rep. E. Hutchings)	Modifies provisions related to the duties and powers of the attorney general	<ul style="list-style-type: none"> <li>▸ Requires the attorney general to provide an annual performance report; and</li> <li>▸ addresses the purposes for which the attorney general may authorize certain law enforcement officers to use a state issued vehicle.</li> </ul>
<b>1<sup>st</sup> Sub. H.B. 390 Suicide Prevention Modifications</b> (Rep. S. Eliason)	Creates a Suicide Prevention Education Program to be administered by the Bureau of Criminal Identification	<ul style="list-style-type: none"> <li>▸ Creates a Suicide Prevention Education Program to be created by the state suicide prevention coordinator and the Bureau of Criminal Identification;</li> <li>▸ allows the program to provide grants to federal firearms licensees to educate their employees regarding suicide prevention; and</li> <li>▸ makes technical corrections.</li> </ul> <p>Appropriates:</p> <ul style="list-style-type: none"> <li>▸ to the Department of Public Safety - Bureau of Criminal Identification, as an ongoing appropriation: <ul style="list-style-type: none"> <li>· from the General Fund, \$9,800, for the Suicide Prevention Education Program.</li> </ul> </li> </ul>
<b>2<sup>nd</sup> Sub. H.B. 433 Penalty for Targeting Law Enforcement Officer</b> (Rep. P. Ray)	Creates a specific penalty for targeting a law enforcement officer while facilitating terrorism	<ul style="list-style-type: none"> <li>▸ defines "terrorism";</li> <li>▸ adds facilitating terrorism to the aggravating factors for aggravated murder; and</li> <li>▸ specifically designates targeting a law enforcement officer as terrorism.</li> </ul>
<b>H.B. 461 Jail Contracting Amendments</b> (Rep. M. Noel)	Changes the daily rate for treatment beds in county facilities	<ul style="list-style-type: none"> <li>▸ increases the daily rate from 86% to 89% for treatment beds for state inmates in county facilities.</li> </ul>

## PASSED WITHOUT THE GOVERNOR'S SIGNATURE

Bill and Bill Sponsor	General Description	Highlighted Provisions
<b>H.B. 446 Sentencing Guidelines Amendments</b> (Rep. K. Ivory)	Requires the Board of Pardons and Parole to develop a list of criteria as rationale for its decisions regarding a person's sentence	<ul style="list-style-type: none"> <li>▸ requires the Board of Pardons and Parole to develop and use a list of criteria in any decision it makes regarding whether: <ul style="list-style-type: none"> <li>· an offender's sentence may be paroled or pardoned;</li> <li>· restitution should be ordered;</li> <li>· fines or forfeitures should be remitted; or</li> <li>· the sentence should be commuted or terminated; and</li> </ul> </li> <li>▸ makes technical changes.</li> </ul>



## FAILED TO PASS: PASSED THE HOUSE ONLY

<i>Bill and Bill Sponsor</i>	<i>General Description</i>	<i>Highlighted Provisions</i>
<b><i>H.B. 19 Civil Asset Forfeiture Reform Amendments</i></b> (Rep. B. Greene)	Modifies the Forfeiture and Disposition of Property Act regarding civil forfeiture procedures	<ul style="list-style-type: none"> <li>▶ Modifies the elements of qualifying as an innocent owner regarding property subject to forfeiture;</li> <li>▶ requires a nexus of the property to specific conduct giving rise to forfeiture in order for the property to be forfeited;</li> <li>▶ modifies the definition of proceeds that are from an offense giving rise to a forfeiture;</li> <li>▶ requires the prosecutor to bring an action for civil forfeiture in a timely manner;</li> <li>▶ modifies the process for a claimant to bring an action to claim forfeited property;</li> <li>▶ provides that any person may assert an interest in seized property or file an answer to a forfeiture complaint without posting bond;</li> <li>▶ provides that the hardship provisions include use of funds to allow an individual to obtain a legal defense in the forfeiture proceeding or the related criminal proceeding and assets of a legitimate business;</li> <li>▶ provides that prejudgment interest shall be awarded, in addition to the current postjudgment interest;</li> <li>▶ removes the cap of 20% of the value of the property subject to forfeiture when awarding legal costs and attorney fees;</li> <li>▶ modifies the obligations of a claimant regarding illegal use of the property subject to forfeiture;</li> <li>▶ modifies the allocation of the proceeds from asset forfeiture to provide for: <ul style="list-style-type: none"> <li>· victim restitution; and</li> <li>· reimbursement of direct costs by the prosecuting agency and the law enforcement agencies involved in the case; and</li> </ul> </li> <li>▶ provides that if the defendant is acquitted of the criminal charge subsequent to the civil forfeiture proceeding, the forfeited assets shall be returned and the defendant shall be reimbursed for interest and costs as listed.</li> </ul>
<b><i>H.B. 79 Private Attorney General Doctrine</i></b> (Rep. B. Greene)	Repeals a provision relating to the private attorney general doctrine	<ul style="list-style-type: none"> <li>▶ Repeals a provision that disavows the private attorney general doctrine.</li> </ul>
<b><i>H.B. 173 Parental Kidnapping Amendments</i></b> (Rep. V. Potter)	Creates the new offense of parental kidnapping	<ul style="list-style-type: none"> <li>▶ Defines the new criminal offense of parental kidnapping as one parent withholding a child from the other parent or guardian in such a way that the parent or guardian cannot exercise certain civil remedies;</li> <li>▶ states that parental kidnapping is a class B misdemeanor for the first and second convictions;</li> <li>▶ makes parental kidnapping a class A misdemeanor on the third conviction; and</li> <li>▶ increases the designation to a third degree felony if the child is removed from the state.</li> </ul>

<b><i>H.B. 176 Human Trafficking Amendments</i></b> (Rep. P. Ray)	Modifies the Utah Criminal Code regarding aggravated murder offenses	<ul style="list-style-type: none"> <li>▶ Provides that a criminal homicide caused by the commission of the offense of human trafficking of a child or aggravated human trafficking is aggravated murder and may be charged as a capital felony.</li> </ul>
<b><i>H.B. 187 Costs for Aggravated Murder Offenses</i></b> (Rep. S. Handy)	Directs the Legislative Auditor General to conduct an audit of the comparative costs of the death penalty capital offenses and non-death penalty capital cases	<ul style="list-style-type: none"> <li>▶ Provides the auditor with guidelines for determining the scope of costs incurred by capital cases, including when the death penalty is sought and when it is not;</li> <li>▶ describes the various prosecutions and outcomes regarding capital cases, including conviction and plea bargains; and</li> <li>▶ directs that the auditor report to the Legislature, including recommendations, by July 1, 2018.</li> </ul>
<b><i>H.B. 237 Firearms and Domestic Violence Modifications</i></b> (Rep. L. Perry)	Modifies the requirements for disposition of criminal domestic violence cases, modifies notification requirements when a prohibited person attempts to purchase a firearm, and modifies weapons law exemptions	<ul style="list-style-type: none"> <li>▶ States that certain concealed carry prohibitions do not apply to an individual 21 years of age or older who may lawfully possess a firearm;</li> <li>▶ requires a court to impose a protective order on a perpetrator of domestic violence as a condition of probation or plea in abeyance that puts the perpetrator on notice that the perpetrator is prohibited from possessing a firearm under state and federal law, among other requirements;</li> <li>▶ requires the Bureau of Criminal Identification to inform local law enforcement when a prohibited person attempts to purchase a weapon from a firearms dealer;</li> <li>▶ enhances the level of offense for domestic violence when the perpetrator is in possession of a dangerous weapon to a class A misdemeanor; and</li> <li>▶ makes technical changes.</li> </ul>
<b><i>H.B. 259 Duty to Retreat Amendments</i></b> (Rep. A.C. Maloy)	Clarifies that a person is not required to retreat from an aggressor	<ul style="list-style-type: none"> <li>▶ Provides that a person is not required to retreat from an aggressor even if there is a safe place to retreat to; and</li> <li>▶ prohibits a trier of fact from considering whether a person who did not retreat from an aggressor acted reasonably.</li> </ul>
<b><i>H.B. 323 Code of Criminal Procedure Amendments</i></b> (Rep. K. Coleman)	Modifies the Utah Code of Criminal Procedure regarding cohabitant abuse	<ul style="list-style-type: none"> <li>▶ Modifies the definition of "domestic violence" or "domestic violence offense."</li> </ul>
<b><i>H.B. 329 Conceal Carry Reciprocity Amendments</i></b> (Rep. J. Fawson)	Creates a board for concealed carry reciprocity agreements	<ul style="list-style-type: none"> <li>▶ Creates the Concealed Firearm Permit Reciprocity Board;</li> <li>▶ directs the Bureau of Criminal Identification to actively pursue conceal carry reciprocity agreements with other states; and</li> <li>▶ provides a sunset date for the board.</li> </ul>
<b><i>H.B. 362 Alcohol Abuse Tracking Committee Relocation</i></b> (Rep. S. Eliason)	Moves the Alcohol Abuse Tracking Committee from the Department of Public Safety to the Department of Human Services	<ul style="list-style-type: none"> <li>▶ Moves the Alcohol Abuse Tracking Committee from the Department of Public Safety to the Department of Human Services.</li> </ul>

<b>H.B. 388 Department of Public Safety Fee Amendments</b> (Rep. E. Hutchings)	Changes fee amounts for services provided by the Department of Public Safety	<ul style="list-style-type: none"> <li>▸ Increases certain fees for services provided by the Driver License Division;</li> <li>▸ increases certain fees for services provided by the Criminal Investigation and Technical Services Division; and</li> <li>▸ increases fees for background checks when purchasing a firearm.</li> </ul>
<b>H.B. 428 Felony Fleeing Amendments</b> (Rep. P. Ray)	Modifies the Utah Criminal Code regarding the offense of murder	<ul style="list-style-type: none"> <li>▸ Provides that anyone who recklessly causes the death of another person while failing to respond to an officer's signal to stop is guilty of murder.</li> </ul>

## FAILED TO PASS

<b>Bill and Bill Sponsor</b>	<b>General Description</b>	<b>Highlighted Provisions</b>
<b>H.B. 102 Cohabitant Abuse Act Amendments</b> (Rep. A. Romero)	Defines the term "intimate partner"	<ul style="list-style-type: none"> <li>▸ Defines the term "intimate partner" within the Cohabitant Abuse Procedures Act and the Cohabitant Abuse Act.</li> </ul>
<b>H.B. 112 Firearms Amendments</b> (Rep. L. Perry)	Amends provisions related to carrying a concealed firearm	<ul style="list-style-type: none"> <li>▸ Provides that a business owner who allows a person with a concealed carry permit to carry a firearm onto the owner's property is not civilly or criminally liable under certain circumstances; and</li> <li>▸ provides an exemption for a person, 21 years of age or older who may lawfully possess a firearm, from certain criminal provisions related to the carrying of a concealed firearm.</li> </ul>
<b>H.B. 177 Purchase of Firearm Amendments</b> (Rep. P. Ray)	Modifies provisions regarding concealed firearm permits and the purchase of firearms by law enforcement officers	<ul style="list-style-type: none"> <li>▸ Provides that a currently certified law enforcement officer is exempt from the requirements of a background check when the officer applies for a concealed firearm permit.</li> </ul>
<b>H.B. 205 Expungement for Juveniles</b> (Rep. D. Pitcher)	Amends provisions relating to motor vehicle records after expungement of criminal records	<ul style="list-style-type: none"> <li>▸ Modifies provisions relating to records kept following expungement of a person's record of offenses committed while under the age of 21; and</li> <li>▸ makes technical changes.</li> </ul>
<b>H.B. 254 Bail Forfeiture Amendments</b> (Rep. W. Brooks)	Allows a prosecuting agency to receive a portion of forfeited bail	<ul style="list-style-type: none"> <li>▸ Allows a prosecuting agency to receive up to 20% of the forfeited bail when bail is forfeited for nonappearance of the defendant; and</li> <li>▸ decreases the time period for producing a defendant who has posted bail but not appeared in court.</li> </ul>
<b>H.B. 260 Drug and Alcohol Treatment Related to Bail Amendments</b> (Rep. E. Redd)	Modifies provisions related to court actions and drug and alcohol treatment	<ul style="list-style-type: none"> <li>▸ Provides drug or alcohol detoxification procedures as an alternative to bail requirements; and</li> <li>▸ makes technical changes.</li> </ul>
<b>H.B. 263 Urban Search and Rescue Program</b> (Rep. D. Sagers)	Creates an additional urban search and rescue task force in the state	<ul style="list-style-type: none"> <li>▸ Defines terms;</li> <li>▸ creates a program within the Division of Emergency Management to increase the state's urban search and rescue capability; and</li> <li>▸ requires that appropriated funds are used only for the purchase of equipment and training for the development of a Type 3 urban search and rescue task force.</li> </ul>

<b><i>H.B. 270 Inmate Housing Amendments</i></b> (Rep. J. Peterson)	Creates a process and formula for releasing offenders to community correctional centers	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ creates a process based upon population for the distribution of offenders throughout the state to community correctional centers; and</li> <li>▶ sets a cap on the number of offenders that may be released to a community correctional center within a county.</li> </ul>
<b><i>1<sup>st</sup> Sub. H.B. 271 Child Protection Amendments</i></b> (Rep. E. Weight)	Deals with abandoned children	<ul style="list-style-type: none"> <li>▶ Defines the term "abandoned child";</li> <li>▶ requires a temporary homeless youth shelter to notify law enforcement within 24 hours of becoming aware that a minor is an abandoned child;</li> <li>▶ requires the parent of an abandoned child who is reported to law enforcement to promptly accept the child back into the parent's home or financially provide other accommodations for the child;</li> <li>▶ states that it is not reasonable discipline or management of a child to remove the child from the child's home for an extended period of time without making arrangements for the child's subsistence, education, or medical care, or any other care necessary for the child's health, safety, or well-being;</li> <li>▶ states that a parent's disapproval of a child's expressed sexual orientation or gender identity, or the parent's perception of the child's sexual orientation or gender identity, is not a defense to criminal nonsupport; and</li> <li>▶ makes technical changes.</li> </ul>
<b><i>H.B. 306 Public Safety Officer Privacy Amendments</i></b> (Rep. M. McKell)	Shields the name of a law enforcement officer who is involved in a critical incident for up to 180 days	<ul style="list-style-type: none"> <li>▶ Requires that the name of a law enforcement officer involved in a critical incident be kept private until the end of the investigation;</li> <li>▶ further requires that the officer's name be released if the officer is charged with a crime at the end of the investigation; and</li> <li>▶ provides that the officer's name shall be released not later than six months after an incident.</li> </ul>
<b><i>H.B. 316 Crime Victim Notification Amendments</i></b> (Rep. E. Hutchings)	Provides alleged victims with reasonable notice of a suspect's pending release from custody	<ul style="list-style-type: none"> <li>▶ Provides notice of a suspect's pending release from custody to alleged victims who have properly registered with the appropriate notification system;</li> <li>▶ lists the forms of communication that may be used to provide notice to an alleged victim;</li> <li>▶ requires the arresting agency to inform an alleged victim of the right to register with the notification system and provide guidance on how to register;</li> <li>▶ addresses application of other statutes; and</li> <li>▶ makes technical changes.</li> </ul>
<b><i>H.B. 330 Commission on Criminal and Juvenile Justice Membership Amendments</i></b> (Rep. E. Hutchings)	Adds two more members to the Commission on Criminal and Juvenile Justice	<ul style="list-style-type: none"> <li>▶ Adds an additional prosecutor and defense attorney to the Commission on Criminal and Juvenile Justice.</li> </ul>

<b>1<sup>st</sup> Sub. H.B. 332 Criminal Procedure Revisions</b> (Rep. M. Roberts)	Modifies provisions related to criminal procedures	<ul style="list-style-type: none"> <li>▶ Modifies the Utah Code of Criminal Procedure regarding information provided juries; and</li> <li>▶ makes technical corrections.</li> </ul>
<b>H.B. 347 State Best Practices for Crisis Intervention Teams</b> (Rep. Brian S. King)	Addresses crisis intervention teams on a regional and statewide basis	<ul style="list-style-type: none"> <li>▶ Enacts the Crisis Intervention Team Utah Program Act, including: <ul style="list-style-type: none"> <li>· defining terms;</li> <li>· providing for regional crisis intervention team programs;</li> <li>· establishing the Crisis Intervention Team Utah Program Advisory Council;</li> <li>· providing for certification of peace officers; and</li> <li>· outlining division duties; and</li> </ul> </li> <li>▶ makes technical and conforming amendments.</li> </ul>
<b>1<sup>st</sup> Sub. H.B. 382 DNA Task Force</b> (Rep. S. Eliason)	Creates the DNA Task Force	<ul style="list-style-type: none"> <li>▶ Creates a task force to study DNA collection, storage, testing, and destruction by the Department of Public Safety.</li> </ul> <p>Appropriates in fiscal year 2018:</p> <ul style="list-style-type: none"> <li>▶ To the Senate, as a one-time appropriation: <ul style="list-style-type: none"> <li>· from the General Fund \$4,000 to pay for the salary of the senator serving on the task force; and</li> </ul> </li> <li>▶ To the House of Representatives, as a one-time appropriation: <ul style="list-style-type: none"> <li>· from the General Fund \$4,000 to pay for the salary of the representative serving on the task force.</li> </ul> </li> </ul>
<b>H.B. 412 Inmate Education Amendments</b> (Rep. M. Wheatley)	Creates a women's health pilot study program for female inmates in state correctional facilities	<ul style="list-style-type: none"> <li>▶ Provides that the University of Utah Department of Sociology establish a pilot study program to provide women's health education classes on site for women incarcerated in state correctional facilities;</li> <li>▶ requires that the Department of Corrections provide necessary space and equipment for the classes;</li> <li>▶ requires that the Department of Sociology seek funding for the program from the private sector and governmental agencies; and</li> <li>▶ requires that the Department of Sociology establish a committee to determine the resources and procedures needed to assess the outcomes regarding women who participated in the classes.</li> </ul>
<b>H.B. 445 National Crime Prevention and Privacy Compact</b> (Rep. S. Handy)	Enacts the Utah Crime Prevention and Privacy Compact	<ul style="list-style-type: none"> <li>▶ Allows Utah to join the National Crime Prevention and Privacy Compact;</li> <li>▶ provides definitions;</li> <li>▶ permits Utah to share information with other states and the federal government relating to background checks and criminal histories;</li> <li>▶ creates a process for Utah to request records from the FBI and other states that are parties to the compact;</li> <li>▶ designates a compact council to administer the compact;</li> <li>▶ provides for adjudication of disputes between member parties; and</li> <li>▶ sets requirements for withdrawal from the compact.</li> </ul>

## SENATE BILLS

### PASSED WITH THE GOVERNOR'S SIGNATURE

<i>Bill and Bill Sponsor</i>	<i>General Description</i>	<i>Highlighted Provisions</i>
<b><i>S.C.R. 1 Concurrent Resolution on Increasing Pay for Certain Public Safety Officers and Firefighters</i></b> (Sen. T. Weiler)	Encourages a pay increase for the public safety officers and firefighters who are Tier II retirement system members	<ul style="list-style-type: none"> <li>▶ Recognizes the vital roles of public safety officers and firefighters;</li> <li>▶ recognizes the necessity of creating the Tier II retirement system in order to stabilize participating employers' pension funding obligations and control future retirement benefit costs;</li> <li>▶ acknowledges that starting wages for public safety officers and firefighters are below market starting wages;</li> <li>▶ acknowledges that the Tier II annual employers' savings provide the opportunity and means to fund a pay increase; and</li> <li>▶ encourages the state of Utah, as well as the other employers of public safety officers and firefighters throughout the state, to provide a pay increase for its public safety officer and firefighter employees who are Tier II members.</li> </ul>
<b><i>1<sup>st</sup> Sub. S.B. 6 Executive Offices and Criminal Justice Base Budget</i></b> (Sen. D. Thatcher)	Appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2017 and ending June 30, 2018	<ul style="list-style-type: none"> <li>▶ Provides appropriations for the use and support of certain state agencies; and</li> <li>▶ provides appropriations for other purposes as described.</li> </ul> <p>Appropriates \$902,260,000 in operating and capital budgets for fiscal year 2018, including:</p> <ul style="list-style-type: none"> <li>▶ \$667,093,300 from the General Fund;</li> <li>▶ \$49,000 from the Education Fund;</li> <li>▶ \$235,117,700 from various sources as detailed. Appropriates \$16,827,900 in expendable funds and accounts for fiscal year 2018. Appropriates \$49,140,300 in business-like activities for fiscal year 2018. Appropriates \$731,000 in restricted fund and account transfers for fiscal year 2018, all of which is from the General Fund. Appropriates \$800,000 in fiduciary funds for fiscal year 2018.</li> </ul>
<b><i>1<sup>st</sup> Sub. S.B. 12 Expungement Amendments</i></b> (Sen. D. Thatcher)	Makes changes to provisions regarding expungements and pardons	<ul style="list-style-type: none"> <li>▶ Adds definitions;</li> <li>▶ prevents the dissemination of information regarding pardons and expungements by certain persons;</li> <li>▶ specifies that infractions, traffic offenses, and certain minor offenses will not count towards expungement eligibility;</li> <li>▶ allows for an increase in the number of convictions counted to be eligible for expungement; and</li> <li>▶ allows the court during sentencing in a criminal prosecution to take into account if the level of the offense has been reduced since the defendant's conviction.</li> </ul>
<b><i>1<sup>st</sup> Sub. S.B. 31 Protection of Law Enforcement Officers' Personal Information</i></b> (Sen. D. Ipson)	Amends the Utah Criminal Code regarding protection of personal information of law enforcement officers	<ul style="list-style-type: none"> <li>▶ Provides criminal penalties for posting on the Internet a law enforcement officer's address and phone numbers, or posting the same information regarding an officer's immediate family member;</li> <li>▶ prohibits the solicitation or sale of the officer's private information and provides for civil damages and the cost of attorney fees; and</li> <li>▶ provides definitions, including a definition of "personal information."</li> </ul>



<p><b><i>S.B. 70 Asset Forfeiture Transparency Amendments</i></b> (Sen. H. Stephenson)</p>	<p>Modifies the Forfeiture and Disposition of Property Act regarding reporting requirements</p>	<ul style="list-style-type: none"> <li>▶ In addition to current reporting requirements, requires that law enforcement agencies reporting on a forfeiture action shall include: <ul style="list-style-type: none"> <li>· information on related criminal charges;</li> <li>· the value of seized property;</li> <li>· the agency's share of property received from a federal forfeiture case;</li> <li>· the agency's costs incurred in making the required reports;</li> <li>· the agency's costs incurred for storage of storing seized property; and</li> <li>· the legal costs incurred by the prosecuting attorney; and</li> </ul> </li> <li>▶ amends the list of information to be provided regarding a forfeiture, and requires that the information be reported by a law enforcement agency, when: <ul style="list-style-type: none"> <li>· transferring disposition of property resulting from a forfeiture matter to the Commission on Criminal and Juvenile Justice; and</li> <li>· the law enforcement agency has been awarded any share of property forfeited by the federal government.</li> </ul> </li> </ul>
<p><b><i>1<sup>st</sup> Sub. S.B. 71 Criminal Accounts Receivable Amendments</i></b> (Sen. D. Thatcher)</p>	<p>Makes changes in the monitoring and collection of criminal judgment accounts receivable</p>	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ specifies when criminal judgment accounts receivable may be assigned to the Office of State Debt Collection;</li> <li>▶ allows the court to modify amounts and payment schedules in order to avoid a default;</li> <li>▶ provides that the court may hold a delinquent or defaulting defendant in contempt;</li> <li>▶ outlines possible consequences for a delinquent or defaulting defendant; and</li> <li>▶ makes technical and conforming amendments.</li> </ul>
<p><b><i>1<sup>st</sup> Sub. S.B. 76 Post-conviction DNA Testing Amendments</i></b> (Sen. L. Hillyard)</p>	<p>Modifies the Judicial Code regarding postconviction remedies</p>	<ul style="list-style-type: none"> <li>▶ Modifies the requirements to obtain postconviction DNA testing by providing that the new evidence shall establish by a reasonable probability that the petitioner would not have been convicted, or would have received a lesser sentence, rather than requiring that the evidence will establish factual innocence; and</li> <li>▶ provides that after the Utah attorney general responds to a petition for postconviction DNA testing, the petitioner may reply to the attorney general's response before the court makes a determination regarding allowing the testing.</li> </ul>
<p><b><i>4<sup>th</sup> Sub. S.B. 87 Civil Asset Forfeiture Revisions</i></b> (Sen. D. Thatcher)</p>	<p>Modifies the Forfeiture and Disposition of Property Act regarding forfeiture and the claiming of property</p>	<ul style="list-style-type: none"> <li>▶ Amends specified definitions;</li> <li>▶ amends provisions regarding the determination that property is subject to forfeiture;</li> <li>▶ amends civil forfeiture procedures to provide for seized currency to be returned to the claimant in specified circumstances;</li> <li>▶ provides that when property valued at less than \$10,000 is seized, the property shall be returned to the claimant;</li> <li>▶ provides that when property is determined to be subject to forfeiture, and the claimant is then acquitted of the offense giving rise to the forfeiture, the property shall be returned; and</li> <li>▶ facilitates the return of seized property to an innocent owner.</li> </ul>

<b>1<sup>st</sup> Sub. S.B. 118 Criminal Law Amendments</b> <i>(Sen. D. Thatcher)</i>	Amends criminal provisions relating to cybercrime and making a false report	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ modifies the elements, penalties, and defenses for computer crime;</li> <li>▶ makes it a crime to interrupt or interfere with critical infrastructure;</li> <li>▶ amends and enacts reporting requirements relating to computer crime or the interruption of, or interference with, critical infrastructure;</li> <li>▶ amends provisions relating to raising a false alarm or filing a false report;</li> <li>▶ amends the elements of electronic communication harassment; and</li> <li>▶ makes technical and conforming changes.</li> </ul>
<b>3<sup>rd</sup> Sub. S.B. 156 Local Public Safety and Firefighter Surviving Spouse Trust Fund Amendments</b> <i>(Sen. T. Weiler)</i>	Modifies the Public Safety Code by amending provisions relating to line-of-duty death benefits	<ul style="list-style-type: none"> <li>▶ Amends health coverage requirements for a surviving spouse and children of a member whose death is classified as a line-of-duty death;</li> <li>▶ provides that a law enforcement agency or other state or local government agency that employs one or more public safety service employees or firefighter service employees who are eligible to earn service credit in a Utah Retirement System is required to participate in the Local Public Safety and Firefighter Surviving Spouse Trust Fund;</li> <li>▶ amends procedures for participating in the Local Public Safety and Firefighter Surviving Spouse Trust Fund;</li> <li>▶ authorizes the Commissioner of the Department of Public Safety to enter into a contract with a third-party administrator to administer the Local Public Safety and Firefighter Surviving Spouse Trust Fund; and</li> <li>▶ makes technical and conforming changes.</li> </ul>
<b>1<sup>st</sup> Sub. S.B. 165 Scholarships for Public Safety Officers</b> <i>(Sen. K. Mayne)</i>	Creates the Public Safety Officer Career Advancement Scholarship program under the State Board of Regents	<ul style="list-style-type: none"> <li>▶ Creates the Peace Officer Career Advancement Reimbursement program to provide up to \$5,000 annually for qualified applicants;</li> <li>▶ appropriates funds for the Peace Officer Career Advancement Reimbursement program;</li> <li>▶ dedicates a portion of the reimbursement funds for officers currently employed in smaller counties;</li> <li>▶ requires that an individual who receives a reimbursement through the Peace Officer Career Advancement Reimbursement Program continue to be employed with the individual's current law enforcement agency for an additional year for each year that the individual applies for and receives reimbursement funds; and</li> <li>▶ requires the board to annually report on the reimbursement program to the Higher Education Appropriations Subcommittee.</li> </ul> <p>Appropriates in fiscal year 2018:</p> <ul style="list-style-type: none"> <li>▶ to the State Board of Regents – Student Assistance, as an ongoing appropriation:</li> <li>· from the Education Fund, \$200,000.</li> </ul>
<b>S.B. 167 Bail Amendments</b> <i>(Sen. J. S. Adams)</i>	Modifies the Code of Criminal Procedure regarding bail	<ul style="list-style-type: none"> <li>▶ Modifies the provisions regarding the release on bail to allow release by written undertaking or an equal amount of cash bail.</li> </ul>

<b>S.B. 215 Master Offense List</b> (Sen. D. Thatcher)	Modifies provisions related to the Sentencing Commission	<ul style="list-style-type: none"> <li>▶ Defines terms;</li> <li>▶ requires the Sentencing Commission to: <ul style="list-style-type: none"> <li>· create a master offense list;</li> <li>· update the master offense list annually; and</li> <li>· present the master offense list to the Law Enforcement and Criminal Justice Interim Committee; and</li> </ul> </li> <li>▶ makes technical and conforming changes.</li> </ul>
<b>S.B. 226 Permanent Criminal Stalking Injunction Amendments</b> (Sen. T. Weiler)	Amends provisions related to offenses that serve as an application for a permanent criminal stalking injunction	<ul style="list-style-type: none"> <li>▶ Extends an application for a permanent criminal stalking injunction against a person in the following instances: <ul style="list-style-type: none"> <li>· a conviction of stalking;</li> <li>· a conviction of attempt to commit stalking; or</li> <li>· a plea to any of the above accepted by the court and held in abeyance.</li> </ul> </li> </ul>
<b>S.B. 227 Doxing Prohibition Amendments</b> (Sen. H. Stephenson)	Prohibits the dissemination of personal information without authorization	<ul style="list-style-type: none"> <li>▶ Prohibits the disclosure or dissemination of identifying information with the intent or knowledge that the information will be further disseminated;</li> <li>▶ defines identifying information; and</li> <li>▶ provides that if the information is used to harass the person, the offender faces up to a third degree felony.</li> </ul>
<b>S.B. 230 Solicitation Amendments</b> (Sen. T. Weiler)	Makes changes to simplify the prosecution of prostitution	<ul style="list-style-type: none"> <li>▶ Renames "house of prostitution" to "place of prostitution";</li> <li>▶ updates the definition of "sexual activity";</li> <li>▶ adds arranging a meeting for the purpose of sexual activity to the crime of prostitution;</li> <li>▶ increases some penalties;</li> <li>▶ requires the maximum fine be ordered upon conviction; and</li> <li>▶ prohibits waiving or suspending the fine.</li> </ul>
<b>S.B. 232 Cyber Exploitation Amendments</b> (Sen. C. Bramble)	Amends and enacts provisions related to criminal sexual offenses	<ul style="list-style-type: none"> <li>▶ Defines the crimes of sexual extortion and aggravated sexual extortion;</li> <li>▶ provides criminal penalties for the crimes of sexual extortion and aggravated sexual extortion;</li> <li>▶ provides that aggravated sexual extortion is a registerable offense under the Sex and Kidnap Offender Registry; and</li> <li>▶ defines terms.</li> </ul>
<b>S.B. 235 Assault and Threat of Violence Amendments</b> (Sen. D. Thatcher)	Modifies the Utah Criminal Code regarding the offense of assault	<ul style="list-style-type: none"> <li>▶ Modifies the offense of assault against certain persons to include a threat of violence; and</li> <li>▶ makes technical changes.</li> </ul>
<b>S.B. 239 Interfering with a Peace Officer</b> (Sen. T. Weiler)	Makes clarifying changes to the interference with a peace officer statute	<ul style="list-style-type: none"> <li>▶ Clarifies that interfering with a peace officer applies to any person who interferes, not just the person being detained.</li> </ul>

<b><i>S.B. 251 Local Government Criminal Penalty Amendments</i></b> (Sen. D. Thatcher)	Makes changes to local ordinance enforcement practice	► Requires that only a law enforcement officer may enforce a local ordinance that is a misdemeanor.
<b><i>S.B. 272 Search and Rescue Assistance Card Program Amendments</i></b> (Sen. D. Hinkins)	Makes changes to the Utah Search and Rescue Assistance Card Program	► Forbids a county from charging a participant in the program for rescue services unless the participant intentionally or recklessly created the situation requiring rescue services.

## FAILED TO PASS

<b><i>Bill and Bill Sponsor</i></b>	<b><i>General Description</i></b>	<b><i>Highlighted Provisions</i></b>
<b><i>S.J.R. 4 Joint Resolution Amending Rules of Evidence - Victim Selection</i></b> (Sen. D. Thatcher)	Amends the Utah Rules of Evidence by enacting a rule that prohibits the admissibility of evidence regarding the defendant's selection of the victim, except as specified	► Provides that a criminal defendant's expressions or associations are not admissible as evidence of the defendant's selection of the victim when addressing a victim selection penalty enhancement, except when the evidence: <ul style="list-style-type: none"> <li>· specifically relates to the crime charged; or</li> <li>· is introduced for impeachment.</li> </ul>
<b><i>1<sup>st</sup> Sub. S.J.R. 7 Joint Resolution Amending Rules of Criminal Procedure</i></b> (Sen. T. Weiler)	Amends the Utah Rules of Criminal Procedure	► Specifies times when certain information is to be disclosed; ► describes the information that is to be disclosed; and ► makes technical changes.
<b><i>S.B. 72 Victim Selection Penalty Enhancements</i></b> (Sen. D. Thatcher)	Modifies the Utah Criminal Code regarding sentencing for offenses committed against persons selected because of certain personal attributes and modifies the Public Safety Code regarding reporting crimes that exhibit evidence of prejudice	► Provides that the penalty for a criminal offense is subject to enhancement by one degree if the offender acted against an individual because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation; ► provides the same enhancement provisions if the criminal offense damages property and the offender acted against the property because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation; ► states that the provisions do not affect an individual's constitutional right of free speech or any other constitutional rights; and ► amends the Bureau of Criminal Identification's duties regarding recording crimes that exhibit evidence of prejudice based on specified categories.

<b>1<sup>st</sup> Sub. S.B. 146</b> <b>Constable Amendments</b> <i>(Sen. L. Fillmore)</i>	Amends provisions related to constables	<ul style="list-style-type: none"> <li>▶ Repeals provisions related to fees for constables;</li> <li>▶ clarifies which local entities are authorized to appoint a constable;</li> <li>▶ requires a nominating commission to provide notice that announces a county's or city's intent to appoint a constable and specifies the qualifications required to be considered for the appointment; and</li> <li>▶ makes technical and conforming changes.</li> </ul>
<b>S.B. 200 Law Enforcement Peer Counseling Amendments</b> <i>(Sen. D. Thatcher)</i>	Creates and describes peer support services within law enforcement agencies	<ul style="list-style-type: none"> <li>▶ Provides for the creation of teams to provide peer support services in law enforcement and emergency agencies;</li> <li>▶ requires that members of the peer support team receive training and be designated as members of a team by the head of the employing agency;</li> <li>▶ provides that information a peer support team member receives from a person when providing peer support services to that person may not be released, except in specified circumstances; and</li> <li>▶ provides definitions.</li> </ul>

Prepared by:

